

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
RECESS
SESSION:**

State of West Virginia;

County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Thursday, January 24, 2013.

James A. Smith appeared at a former date and presented and offered for probate a paper writing bearing date the 7thday of August, 1979, purporting to be the Last Will and Testament of Hope T. Dawkins, deceased.

And, it appearing to the Clerk that the said decedent, at the time of her death, had a known place of residence in the County of Lewis, State of West Virginia, and it further appearing that the said paper writing had attached thereto, an affidavit signed by Carolyn M. Kerns and Phyllis R. Beauvais. The said affidavit set forth the fact that the said Hope T. Dawkins, the Testatrix, signed and declared the said paper writing as and for her Last Will and Testament in their presence and at the time thereof, the said Testatrix was of sound mind and disposing memory and over the age of eighteen. And, at the request of the said Testatrix, they, the said Carolyn M. Kerns and Phyllis R. Beauvais signed their names to said paper writing in the presence of the said Testatrix and in the presence of each other as the attesting witnesses thereto.

The said Will being thus proved, is admitted to probate and ordered to be filed and recorded as directed by law.

Attest:

_____ Clerk

State of West Virginia;

County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Thursday, January 24, 2013.

WHEREAS, Hope T. Dawkins, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Herbert Craig Dawkins as Executor thereof and requested that no bond be required of him as such Executor. THEREUPON, personally appeared the said Herbert Craig Dawkins and qualified as Executor of the Will of Hope T. Dawkins, deceased, by taking the oath prescribed by law.

It is stated by said Executor that Hope T. Dawkins departed this life on the 19th day of December, 2012, aged ninety years.

Attest:

_____ Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
RECESS
SESSION:**

State of West Virginia;
County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Friday, January 25, 2013.

This day came Billy D. Osborne, husband of Linda L. Osborne, deceased, and presented and offered for probate a paper writing bearing date the 22nd day of December, 1986, purporting to be the Last Will and Testament of his said decedent.

And, it appearing to the Clerk that the said decedent, at the time of her death, had a known place of residence in the County of Lewis, State of West Virginia, and it further appearing that the said paper writing had attached thereto, an affidavit signed by Sandra R. Fishbach and Douglas M. Swift. The said affidavit set forth the fact that the said Linda L. Osborne, the Testatrix, signed and declared the said paper writing as and for her Last Will and Testament in their presence and at the time thereof, the said Testatrix was of sound mind and disposing memory and over the age of eighteen. And, at the request of the said Testatrix, they, the said Sandra R. Fishbach and Douglas M. Swift signed their names to said paper writing in the presence of the said Testatrix and in the presence of each other as the attesting witnesses thereto.

The said Will being thus proved, is admitted to probate and ordered to be filed and recorded as directed by law.

Attest:

_____ Clerk

State of West Virginia;
County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of said Commission on Friday, January 25, 2013.

WHEREAS, Linda L. Osborne, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Billy D. Osborne as Executor thereof and requested that no bond be required of him as such Executor. THEREUPON, personally appeared the said Billy D. Osborne and qualified as Executor of the Will of Linda L. Osborne, deceased, by taking the oath prescribed by law.

It is stated by said Executor that Linda L. Osborne departed this life on the 13th day of January, 2013, aged seventy-two years.

Attest:

_____ Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
RECESS
SESSION:**

State of West Virginia;

County of Lewis, To-Wit;

In the office of the Clerk of the County Commission of the said County of Lewis, in the recess of the said Commission on Friday, January 25, 2013.

This day came Ricky D. Simpson, husband of Diana L. Simpson, deceased, and moved the Clerk that he be appointed Administrator of the personal estate of his said decedent. Upon, consideration of which, the Clerk is of the opinion to and doth hereby appoint the said Ricky D. Simpson as such Administrator.

THEREFORE, Ricky D. Simpson as principal together with Rusty L. Simpson as his surety, entered into an acknowledged a bond in the penalty of Three Hundred (\$300.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Ricky D. Simpson qualified as Administrator of the personal estate of Diana L. Simpson, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Diana L. Simpson departed this life on the 19th day of January, 2013, aged forty-five years.

Attest:

_____ Clerk

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, JANUARY 28, 2013**

Commission sat pursuant to adjournment of Tuesday, January 22, 2013.

PRESENT: Honorable Patrick D. Boyle, President, Thomas V. Fealy and Agnes G. Queen, Commissioners

The foregoing proceedings of this Commission were approved and signed by the President.

IN RE: TAX EXONERATIONS

Upon application of the following, approved by the Prosecuting Attorney, it appears that they were erroneously assessed and should therefore be, released the following amounts, as so ordered. Upon motion of Thomas V. Fealy, second by Agnes G. Queen, motion passing, the following amounts were released.

Christopher J. & Cindy J. Walters - 2008	\$11.02
Christopher J. & Cindy J. Walters - 2009	63.19
Christopher J. & Cindy J. Walters - 2010	56.13
Christopher J. & Cindy J. Walters - 2011	90.66
Christopher J. & Cindy J. Walters - 2012	98.18

IN RE: MINUTES, INVITATIONS, NOTIFICATIONS, CORRESPONDENCE

1. **Upshur County Commission Agenda** – A copy of the Upshur County Commission for January 24, 2013 was filed. It was noted that the Upshur County Commission is proposing to increase the 911 fees.
2. **Shentel Cable Franchise:** Fourth Quarter 2012 Cable Franchise Fee \$8,537.77.
3. **Blue Gray Intermodal Highway Authority Request for participation at the West Virginians for Better Transportation Day at the Legislature:** Request for the Commission to attend February 14, 2013 “West Virginians for a Better Transportation Day” at the capitol to support the construction and funding of the Blue Gray Intermodal Highway connecting Interstate 79 and Interstate 77. Commission discussed that this has been worked on for years. There is a second plan that bypasses the residential area. With completion of Corr H, it will make a more viable project, but it would not be in our lifetime.
4. **Region Seven Planning and Development Council Notification of Meeting and Past Meeting Minutes:** Region Seven Planning and Development Council quarterly meeting will be held January 28, 2013 at 6:30 PM at the Region Seven office. Commissioner Agnes G. Queen informed the commission that she will be attending the meeting. This is the first official meeting since Shane Whitehair has taken office. Commissioner Queen reminded the commission that there was an appointment open on the board. It will be placed on next week’s agenda.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, JANUARY 28, 2013**

IN RE: BOARD AND COMMITTEE REPORTS

Commissioner Agnes G. Queen attended the EDA meeting. She notified commission that Curtis Wilkerson is working on a Lewis County Job Fair for May 2 and a booth to give out informational packets at an oil and gas fair in Cannonsburg, PA.

**IN RE: APPOINTMENT OF JONATHAN COLLINS, ADMINISTRATOR, OF THE
PERSONAL ESTATE OF MICHELE LEA MOWERY, DECEASED**

This day came Jonathan Collins, son of Michele Lea Mowery, deceased, and moved the Commission that he be appointed Administrator of the personal estate of her said decedent. Upon consideration of which, the Commission is of the opinion to and doth hereby appoint the said Jonathan Collins as such Administrator.

THEREFORE, Jonathan Collins as principal together with Betty S. Workman-Bernard as his surety, entered into an acknowledged a bond in the penalty of Five Thousand (\$5,000.00) Dollars, payable to the State of West Virginia, conditioned according to law, which bond is hereby approved and deemed sufficient. And, thereupon, the said Jonathan Collins qualified as Administrator of the personal estate of Michele Lea Mowery, deceased, by taking the oath prescribed by law.

It is stated by said Administrator that Michele Lea Mowery departed this life on the 1st day of September, 2012, aged forty-four years.

IN RE: AFFIDAVIT OF UNADMINISTERED ESTATES

Pursuant to Chapter 44, Article 2, Section 1 (b) of the West Virginia Code as amended, the following doth hereby declare that they are the sole beneficiary of said estate; that the time for filing of CLAIMS has expired; that no known or unpaid CLAIMS exist and there having been no objections thereto, the same is hereby confirmed;

Pamella J. Windon, Executrix, Affidavit of Personal Representative,
Unadministered Estate of Bernadine Feagans, deceased.

IN RE: RECEIPTS AND DISBURSEMENTS

Pursuant to the provisions of Chapter 44, Article 2, Section 1 of the 1981 Code of West Virginia, as amended by the acts of the Legislature, Regular Session, 1985, the following doth hereby declare that the time for filing of CLAIMS has expired; that no known and unpaid CLAIMS exist against said estate; and there having been no objections thereto, the same is hereby confirmed:

William R. Hall, Sr., Executor, Waiver of Settlement of the Fiduciary
Account of the Estate of Ernestine L. Hall, deceased

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, JANUARY 28, 2013**

IN RE: PROBATING THE LAST WILL AND TESTAMENT OF ROY BURTON COLLINS, DECEASED

This day came Debra D. Johnson Sprouse, daughter of Roy Burton Collins, deceased, and presented and offered for probate a paper writing bearing date the 11th day of October, 2006, purporting to be the Last Will and Testament of her said decedent.

And, it appearing to the Commission that the said decedent, at the time of his death, had a known place of residence in the County of Lewis, State of West Virginia, and it further appearing that the said paper writing had attached thereto, an affidavit signed by Stella Wood and Melissa S. Hiner. The said affidavit set forth the fact that the said Roy Burton Collins, the Testator, signed and declared the said paper writing as and for his Last Will and Testament in their presence and at the time thereof, the said Testator was of sound mind and disposing memory and over the age of eighteen. And, at the request of the said Testator, they, the said Stella Wood and Melissa S. Hiner signed their names to said paper writing in the presence of the said Testator and in the presence of each other as the attesting witnesses thereto.

The said Will being thus proved, is admitted to probate and ordered to be filed and recorded as directed by law.

IN RE: QUALIFICATION OF DEBRA D. JOHNSON SPROUSE, EXECUTRIX OF THE WILL OF
ROY BURTON COLLINS, DECEASED

WHEREAS, Roy Burton Collins, whose Last Will and Testament was this day fully proved, probated and admitted to record, therein named Debra D. Johnson Sprouse as Executrix thereof and requested that no bond be required of her as such Executrix. THEREUPON, personally appeared the said Debra D. Johnson Sprouse and qualified as Executrix of the Will of Roy Burton Collins, deceased, by taking the oath prescribed by law.

It is stated by said Executrix that Roy Burton Collins departed this life on the 23rd day of January, 2013, aged eighty-six years

IN RE: REFERRING THE ESTATE OF JOSEPH BERNARD BOYLE, DECEASED,
TO JOSEPH W. WAGONER, FIDUCIARY COMMISSIONER

WHEREAS, the appraisal of Joseph Bernard Boyle, deceased, was this day filed; and

WHEREAS, the estate of said Joseph Bernard Boyle, deceased, exceeded the sum of (\$100,000.00) Dollars and more than one heir; and

THEREFORE, the estate of Joseph Bernard Boyle, deceased, is hereby referred to Joseph W. Wagoner, Fiduciary Commissioner.

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, JANUARY 28, 2013**

IN RE: 911 ADDRESSING, ROAD APPROVAL
REUNION ROAD

The following request for approval of a road name for a new private road located from US Hwy 33 E at Garton Plaza, go 2.8 miles, turn left onto Berlin road, go 3/10 mile turn left onto Old Rt 33, go 4/10 mile turn right onto new road, was approved upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous:



Lewis ~ Gilmer E-911 Addressing

201 Orchard St • Weston, WV 26452
Phone 304-269-6567 or 304-462-4346

TTY 304-269-8241 or 304-462-7306 • Fax 304-269-8203
E-mail • addressing@LCE-911.com

January 18, 2013

Lewis County Commission,

The Lewis/Gilmer County Addressing Office requests approval of a road name for a new private road located @ 81 Old Route 33

The proposed names submitted via petition where:

- 1) REUNION RD
- 3) PINE DR

- 2) PARK RD
- 4) MAGNOLIA DR

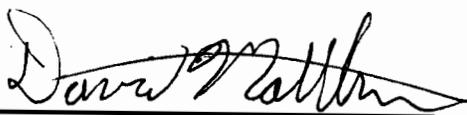
NOTE: Choice's 2, 3, & 4 are similar to road names that are already in use, Choice 1 is acceptable.

Driving directions: FROM US HWY 33 E AT GARTON PLZ GO 2.8 MILES, TURN L ONTO BERLIN RD GO 3/10 MILE TURN L ONTO OLD ROUTE 33 GO 4/10 MILE TURN RIGHT

Additional Information:
Postal Community: Weston
MSAG Community: Weston
Address Range: 1 – 140

Please notify the Addressing Office in writing at the contact information listed above of your decision as soon as possible. If you have any questions or concerns, please do not hesitate to call.

Thank you for your assistance in this matter.
Sincerely,

X 
David Matthews
Address Coordinator

X 
Commission President

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, JANUARY 28, 2013**

IN RE: REQUEST FOR ANNUAL LEAVE MOVED TO SICK TIME

As per county policy, the following employees request to move hours from annual leave to sick leave was approved, upon motion of Thomas V. Fealy, second by Agnes G. Queen, vote unanimous:

Garry Demoss - 96 hours Annual leave to Sick Hours

Tom Alkire - 40 hours Annual leave to Sick Hours and 21.5 Comp hours to Sick Hours

Rick Stout - 35.75 Comp hours to Sick Hours

E-911 EMERGENCY COMMUNICATION CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, E-911 EMERGENCY COMMUNICATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

7296	Guttman Oil Company	01/28/2013	55.11
	E-911	TOTAL	55.11

MISCELLANEOUS CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, GENERAL COUNTY FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

69359	AFLAC	01/28/2013	188.44
69360	American Heritage Life In	01/28/2013	2,543.30
69361	Washington Ntl Ins Co.	01/28/2013	512.00
69362	Century Link	01/28/2013	20.36
69363	Companion Life	01/28/2013	124.48
69364	Decatur Electronics, Inc.	01/28/2013	165.00
69365	Elite Cleaners	01/28/2013	171.60
69366	Guttman Oil Company	01/28/2013	1,180.63
69367	Kustom Signals, Inc.	01/28/2013	3,234.00
69368	Lloyd Hoff Holding Corp	01/28/2013	850.00
69369	Premier Construction Grp	01/28/2013	107,135.00
69370	Sheriff of Lewis County	01/28/2013	5,000.00
69371	Lucinda A. Whetsell	01/28/2013	103.53
69372	WV American Water Company	01/28/2013	244.04
69373	WV State Police Academy	01/28/2013	75.00
	General County	TOTAL	121,547.38

JUSTICE FINES CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, JUSTICE FINES FUND for the following amounts and to the parties hereinafter named, account CLAIMS filed for payment as follows:

157	WV State Auditor	01/28/2013	9,680.00
	Justice Fines	TOTAL	9,680.00

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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BROAD BAND CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, BROAD BAND FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

1024	Premier Construction Group	01/09/2013	205,875.25
	Broad Band Tower	TOTAL	205,875.25

HOME CONFINEMENT CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, HOME CONFINEMENT FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

2384	Sentinel Offender Service	01/28/2013	
	Home Confinement	TOTAL	

CITIZENS EDUCATION CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, CITIZENS EDUCATION FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

425	Rogers Motor Lodge	12/12/2012	300.00
426	Super 8	12/12/2012	57.60
427	Adam M Gissy/Wallet Reimb	01/24/2013	72.00
428	Rogers Motor Lodge	01/24/2013	655.37
	Citizens Ed	TOTAL	1,084.97

CONCEALED WEAPONS CLAIMS

ORDERED, that drafts be issued payable out of the 2013, Levy, CONCEALED WEAPONS FUND for the following amounts and to the parties hereinafter named, account of CLAIMS filed for payment as following:

752	United Bank Card	12/31/2012	571.20
753	Lloyd Hoft Holding	12/31/2012	85.00
754	John Perdue	12/31/2012	945.00
755	United Bank Card	01/04/2013	106.45
	Concealed Weapons	TOTAL	1,707.65

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, JANUARY 28, 2013**

IN RE: 911 ADDRESSING, ROAD APPROVAL
RIGHT HOFFMAN AVENUE

The following request for approval of a road name for a new private road located from US Hwy 33 E at Garton Plaza, go 1.3 miles, turn left onto Hillcrest Road, go less 2/10 mile begin Hoffman Avenue, left turn go 3/10 mile turn right on new road, was approved upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous:



Lewis ~ Gilmer E-911 Addressing

201 Orchard St • Weston, WV 26452
Phone 304-269-6567 or 304-462-4346

TTY 304-269-8241 or 304-462-7306 • Fax 304-269-8203
E-mail • addressing@LCE-911.com

January 18, 2013

Lewis County Commission,

The Lewis/Gilmer County Addressing Office requests approval of a road name for a new private road located 3/10 mile right off Hoffman Ave

The proposed names submitted via petition where:

- 1) Hoffman Hill Top Rd
- 3) Old Hoffman Hill Rd

- 2) Hoffman Hill Rd
- 4) Right Hoffman Ave

NOTE:

Driving directions: FROM US HWY 33 E AT GARTON PLZ GO 1.3 MILES TURN LEFT ONTO HILLCREST RD GO LESS 2/10 MILE BEGIN HOFFMAN AVE IN LEFT TURN GO 3/10 MILE TURN RIGHT

Additional Information:
Postal Community: WESTON
MSAG Community: WESTON
Address Range: 1 – 240

Please notify the Addressing Office in writing at the contact information listed above of your decision as soon as possible. If you have any questions or concerns, please do not hesitate to call.

Thank you for your assistance in this matter.
Sincerely,

X David Matthews
David Matthews
Address Coordinator

X [Signature]
Commission President

**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
REGULAR
SESSION: MONDAY, JANUARY 28, 2013**

IN RE: RESIGNATION OF KATHY STOVER, LEWIS COUNTY BOARD OF HEALTH

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to accept the resignation of Kathy Stover from the Lewis County Board of Health.

IN RE: CONSIDERATION OF CREATING A COUNTY SEAL

Upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to get a contest underway to create a seal for Lewis County. Cindy Whetsell, county administrator will get some sample ideas together for a packet to send out. A new county seal should be picked out by March 1.

IN RE: LEWIS COUNTY JUDICIAL ANNEX

Cindy Whetsell, county administrator, gave an update on the Judicial Annex. The City of Weston accepted bids for storm water pipe. The Lewis County Building Commission agreed to delete the tiles in the stairwells and paint the walls. With the savings they could upgrade the drywall to a level 5 at no extra cost. The Building Commission voted to not change the prosecuting attorney's room from the open concept. Parking for the magistrates and judges was changed from a 90 degree parking to 45 degree parking. A change to the sidewalk will be used to update some other hand rails around the courthouse complex. March Westin brought their drywall finishers in and released the drywall subcontractor.

IN RE: SENATOR SAM CANN

The commission welcomed Senator Sam Cann to Lewis County and informed him that we are eager to work with him. Senator Cann thanked the commission and said he was glad to be back in Lewis County. Senator Cann was accompanied by Delegate Peggy Donaldson Smith.

IN RE: HAZ MAT TEAM COORDINATOR

Upon the recommendation of the Board of Trustees of the Lewis County Haz-Mat Team, and upon motion of Agnes G. Queen, second by Thomas V. Fealy, vote unanimous to appoint Steve Byers as the Haz Mat Coordinator.

IN RE: ANNUAL SETTLEMENT BY SHERIFF

The foregoing Annual Settlement of Accounts was filed by the former Sheriff, Michael R. Gissy to the newly elected Sheriff, Adam M. Gissy showing Accounts and Balances on December 31, 2012.

Arthur Blackstock, Conservatorship	\$0.00
Jesse Riley, Jr., Conservatorship	22,364.78
John Kittle, Conservatorship	1,355.61
Patricia A. Eary, Conservatorship	393.33
Amelia Galiano Hamrick Estate	23,305.06

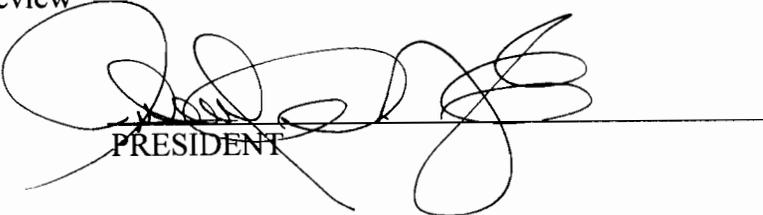
**ORDERS - - - BOARD OF COMMISSIONERS, LEWIS COUNTY
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IN RE: CHECKS RECEIVED

WV - State of	\$107,135.00	WV, State of	\$106,971.65
Gilmer County Sheriff	98,009.42	Weston, City of	3,000.00
Lumos	1,104.19	Citizens Bank of Weston	400.00
Cebridge Telecom WV	85.10	Interface Security Syst., Inc.	1.85
AT&T Corp	136.50	Granite Telecomm, LLC	227.50
Shentel	2,187.50	IDT Corp.	5.25
Level 3 Comm.	19.25	Weston Housing Auth.	200.00
Compliance Solutions	288.75	Granite Telecomm, LLC	227.50
IDT	5.25	Level 3 Comm.	22.75
AT&T Corp	127.75	Frontier	7,272.32
Procom	70.32	Frontier	1,358.43

The minutes of this meeting were approved upon motion of Agnes G. Queen, second by Thomas V. Fealy, motion passing.

ORDERED, That this Commission doth now adjourn until Friday, February 1, 2013, sitting as a Board of Equalization and Review



PRESIDENT